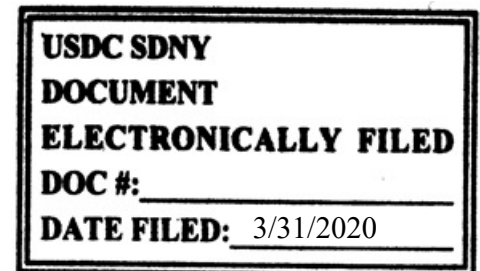


March 27, 2020

BY ECF AND EMAIL

Honorable Richard M. Berman
United States District Judge
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, NY 10007
BermanNYSDChambers@nysd.uscourts.gov



**Re: USA v. Gomez
1:14-cr-00459-RMB**

Dear Judge Berman:

I respectfully request that Mr. Hanley Gomez's re-sentencing date, now set for April 2, 2020, be adjourned, *sine die*, pending developments in the pandemic and resumption of in-person proceedings. Mr. Gomez is currently at the MDC pursuant to a writ ad prosequendum from ICE custody. However, since the filing of our sentencing submission, the underlying immigration case has been terminated, and counsel in the immigration case has advised us that if no appeal is filed by midnight on Friday April, 10, 2020, there will be no legal basis for Mr. Gomez's continued detention. Thus, Mr. Gomez's custody does not turn on the resentencing. We suggest an adjournment of this hearing, *sine die*, to minimize the burden on the prison system and avoid the risk that Mr. Gomez, who lives in New York City, will be returned to Pennsylvania once the writ is satisfied, only to be processed and released there.

To ensure Mr. Gomez will not remain detained longer than he should, and to minimize the burden on the prison system during the COVID-19 crisis, we request this adjournment with direction to the parties to contact Chambers for a new sentencing date upon the reinstatement of the Court's ordinary procedures. If there is no appeal of the judgment terminating the immigration action by April 11, 2020, we also expect to file papers with the Court seeking Mr. Gomez's release pending re-sentencing. We note that the Government seeks no additional incarceration, beyond the time already served.

I have spoken with Assistant United States Attorney Edward Diskant. The Government has no objection to this request. This is my second request for an adjournment of the re-sentencing hearing. I requested the first adjournment due to a family matter, and the Court adjourned the matter to April 2, 2020.


Thank you for your consideration of this request.

Respectfully submitted,

_____/s/_____
Michael W. Martin
Ian Weinstein
Lincoln Square Legal Services, Inc.
Attorneys for Mr. Hanley Gomez
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New York, NY 10023
(212) 636-6934

cc: Edward B. Diskant
Assistant United States Attorney
By ECF AND EMAIL

Application granted.	

SO ORDERED:	
Date: 3/31/2020	
Richard M. Berman, U.S.D.J.	